

RECEIVED
CENTRAL FAX CENTER

DOCKET NO. SC91189A

MAR 30 2006

**FAX TRANSMITTAL SHEET**

Freescale Semiconductor, Inc.

Law Department

7700 W. Parmer Lane

MD: TX32/PL02

Austin, TX 78729

Telephone: (512) 996-6839

Facsimile: (512) 996-6854

20

Number of Pages (including this page)

Date: March 30, 2006

To: Pankaj Kumar - 2631

Location: United States Patent and Trademark Office

Fax No.: (571) 273-8300

From: James L. Clingan, Jr. - 30,163

Subject: 09/438,228- Chengke Sheng

NOTICE: This facsimile transmission may contain information that is confidential, privileged, or exempt from disclosure under applicable law. It is intended only for the person to whom it is addressed. Unauthorized use, disclosure, copying or distribution may expose you to legal liability. If you have received this transmission in error, please immediately notify us by telephone (collect) to arrange for return of the documents received and any copies made. Thank you.

MESSAGE:

Enclosed herewith, please find a PETITION TO REVIVE for filing in the below-identified application.

ALL ITEMS MARKED WITH AN "X" ARE INCLUDED:

1.	X	1 page Facsimile Cover Sheet
2.	X	2 page Petition for Revival of an Application for Patent Abandoned Unintentionally
3.	X	2 page PTO/SB/64 Form
4.	X	6 page Office Action dated mailed August 2, 2004
5.	X	4 page Amendment submitted October 28, 2004 with transmittal sheets
6.	X	1 page Fee Transmittal (in duplicate)

Paid by Deposit Account: 503079 \$1500**I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE-TRANSMITTED TO THE
PATENT AND TRADEMARK OFFICE:**ON: 3/30/06

Date

Signature

PLEASE GIVE THESE PAPERS TO:

EXAMINER: Pankaj Kumar
GROUP ART UNIT: 2631
SERIAL NO.: 09/438,228
FILED: NOVEMBER 12, 1999
INVENTOR: CHENGKE SHENG

BEST AVAILABLE COPY

MAR 30 2006

DOCKET NO. SC91189A

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) Chengke Sheng GROUP ART UNIT: 2631
APPLN. NO.: 09/438,228 EXAMINER: Pankaj Kumar
FILED: November 12, 1999
TITLE: CHIP RATE BASE BAND RECEIVER PROCESSOR WHICH
RECEIVES DIGITAL INFORMATION CONTAINING SYMBOL
INFORMATION

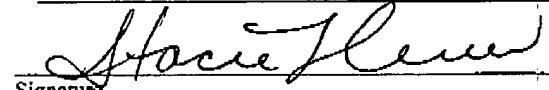
Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile
transmitted to the Patent and Trademark Office.

on

3-30-06

Signature



Stacie Herrera

Printed Name of Person Signing Certificate

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Abandonment dated March 6, 2006, and Examiner's
comments with regard thereto, please enter the following petition to revive in the above-entitled
application, without prejudice or disclaimer.

If Applicant has overlooked any additional fees, or if any overpayment has been made,
the Commissioner is hereby authorized to credit or debit Deposit Account 503079.

REMARKS

Applicant hereby petitions for the subject application to be revived under 35 U.S.C. 41 (a) (7) as the abandonment being unintentional.

A response (copy enclosed) to an Office Action dated August 2, 2004, (copy enclosed) was faxed to the U.S.P.T.O on October 28, 2004, which is well before the abandonment date of December 3, 2004, a day after six months after the Office Action. The fax, however, was incomplete so the response was incomplete. Applicants have no record of the U.S.P.T.O. responding to the fax or providing a notice of abandonment until a Notice of Abandonment having a date of March 7, 2006 was received and to which this petition is in response. Accordingly, applicant hereby states that the entire delay in filing the required response from the due date for the reply until the filing of this petition was unintentional and thus request that this application be revived. Applicant further requests that the enclosed response dated October 28, 2004, be entered and prosecution of the case proceed accordingly.

Respectfully submitted,

SEND CORRESPONDENCE TO:

Freescale Semiconductor, Inc.
Law Department

Customer Number: 23125

By: 

James L. Clingan, Jr.
Attorney of Record

Reg. No.: 30,163

Telephone: (512) 996-6839

Fax No.: (512) 996-6854

MAR 30 2006

FEE TRANSMITTAL Patent fees are subject to annual revision <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<i>Complete if Known</i>																																																																																																																																																																																																																																																																		
		Application Number	09/438,228																																																																																																																																																																																																																																																																	
		Filing Date	November 12, 1999																																																																																																																																																																																																																																																																	
		First Named Inventor	Chengke Sheng																																																																																																																																																																																																																																																																	
		Examiner Name	Pankaj Kumar																																																																																																																																																																																																																																																																	
TOTAL AMOUNT OF PAYMENT (\$)		1500	Attorney Docket No.	SC91189A																																																																																																																																																																																																																																																																
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																																																																																																		
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number 503079 Deposit Account Name FREESCALE SEMICONDUCTOR, INC.		3. ADDITIONAL FEES																																																																																																																																																																																																																																																																		
The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fees(s) indicated below, except for the filing fee to the above-identified deposit account.		<table border="1" style="width:100%"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>66</td><td>Surcharge - late filing fee or oath</td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr><tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr><tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td></tr><tr><td>1251</td><td>120</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr><tr><td>1252</td><td>450</td><td>2252</td><td>215</td><td>Extension for reply within second month</td></tr><tr><td>1253</td><td>1020</td><td>2253</td><td>490</td><td>Extension for reply within third month</td></tr><tr><td>1254</td><td>1590</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td></tr><tr><td>1255</td><td>2160</td><td>2255</td><td>1040</td><td>Extension for reply within fifth month</td></tr><tr><td>1401</td><td>500</td><td>2401</td><td>170</td><td>Notice of Appeal</td></tr><tr><td>1402</td><td>500</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td></tr><tr><td>1403</td><td>1000</td><td>2403</td><td>150</td><td>Request for oral hearing</td></tr><tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td></tr><tr><td>1452</td><td>500</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr><tr><td>1453</td><td>1500</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td></tr><tr><td>1501</td><td>1400</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td></tr><tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td></tr><tr><td>1503</td><td>660</td><td>2503</td><td>330</td><td>Plant issue fee</td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(d)</td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr><tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr><tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr><tr><td>Large Fee</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination</td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr><tr><td colspan="5">Other fee (specify) _____</td></tr><tr><td colspan="2">1. BASIC FILING FEE</td><td colspan="3">SUBTOTAL (1) (\$)</td></tr><tr><td colspan="2"><table border="1" style="width:100%"><thead><tr><th>Large Fee Code</th><th>Fee (\$)</th><th>Small Fee Code</th><th>Fee (\$)</th><th>Entity Fee (\$)</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>790</td><td>2001</td><td>395</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>300</td><td>2002</td><td>175</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>550</td><td>2003</td><td>275</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>790</td><td>2004</td><td>395</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr></tbody></table></td><td colspan="3"></td></tr><tr><td colspan="2">2. EXTRA CLAIM FEES</td><td colspan="3">SUBTOTAL (2) (\$)</td></tr><tr><td colspan="2">Total Claims <input type="text"/> - <input type="text"/> = <input type="text"/> x <input type="text"/> = <input type="text"/> Independent Claims <input type="text"/> - <input type="text"/> = <input type="text"/> x <input type="text"/> = <input type="text"/> Multiple Dependent <input type="text"/> = <input type="text"/> <table border="1" style="width:100%"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Entity Fee Code</th></tr></thead><tbody><tr><td>1202</td><td>50</td><td>2202</td><td>9</td><td>1202</td></tr><tr><td>1201</td><td>200</td><td>2201</td><td>44</td><td>1201</td></tr><tr><td>1203</td><td>300</td><td>2203</td><td>150</td><td>1203</td></tr><tr><td>1204</td><td>88</td><td>2204</td><td>44</td><td>1204</td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>1205</td></tr></tbody></table></td><td colspan="3"></td></tr><tr><td colspan="2">SUBMITTED BY</td><td colspan="3">Complete (if applicable)</td></tr><tr><td>Name (Print/Type)</td><td>James L. Clingan, Jr.</td><td>Registration No.</td><td>30,163</td><td>Telephone</td><td>(512) 996-6839</td></tr><tr><td>Signature</td><td><i>James L. Clingan, Jr.</i></td><td>Date</td><td colspan="3">3/30/06</td></tr></tbody></table>		Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	66	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late Provisional filing	1053	130	1053	130	Non-English specification	1812	2520	1812	2520	For filing a request for ex parte Reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	1251	120	2251	55	Extension for reply within first month	1252	450	2252	215	Extension for reply within second month	1253	1020	2253	490	Extension for reply within third month	1254	1590	2254	765	Extension for reply within fourth month	1255	2160	2255	1040	Extension for reply within fifth month	1401	500	2401	170	Notice of Appeal	1402	500	2402	170	Filing a brief in support of an appeal	1403	1000	2403	150	Request for oral hearing	1451	1510	1451	1510	Petition to institute a public use proceeding	1452	500	2452	55	Petition to revive - unavoidable	1453	1500	2453	685	Petition to revive - unintentional	1501	1400	2501	685	Utility issue fee (or reissue)	1502	490	2502	245	Design issue fee	1503	660	2503	330	Plant issue fee	1460	130	1460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(d)	1806	180	1806	180	Submission of IDS	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	Large Fee	790	2801	395	Request for Continued Examination	1802	900	1802	900	Request for expedited examination of a design application	Other fee (specify) _____					1. BASIC FILING FEE		SUBTOTAL (1) (\$)			<table border="1" style="width:100%"><thead><tr><th>Large Fee Code</th><th>Fee (\$)</th><th>Small Fee Code</th><th>Fee (\$)</th><th>Entity Fee (\$)</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>790</td><td>2001</td><td>395</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>300</td><td>2002</td><td>175</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>550</td><td>2003</td><td>275</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>790</td><td>2004</td><td>395</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr></tbody></table>		Large Fee Code	Fee (\$)	Small Fee Code	Fee (\$)	Entity Fee (\$)	Fee Paid	1001	790	2001	395	Utility filing fee		1002	300	2002	175	Design filing fee		1003	550	2003	275	Plant filing fee		1004	790	2004	395	Reissue filing fee		1005	160	2005	80	Provisional filing fee					2. EXTRA CLAIM FEES		SUBTOTAL (2) (\$)			Total Claims <input type="text"/> - <input type="text"/> = <input type="text"/> x <input type="text"/> = <input type="text"/> Independent Claims <input type="text"/> - <input type="text"/> = <input type="text"/> x <input type="text"/> = <input type="text"/> Multiple Dependent <input type="text"/> = <input type="text"/> <table border="1" style="width:100%"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Entity Fee Code</th></tr></thead><tbody><tr><td>1202</td><td>50</td><td>2202</td><td>9</td><td>1202</td></tr><tr><td>1201</td><td>200</td><td>2201</td><td>44</td><td>1201</td></tr><tr><td>1203</td><td>300</td><td>2203</td><td>150</td><td>1203</td></tr><tr><td>1204</td><td>88</td><td>2204</td><td>44</td><td>1204</td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>1205</td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Entity Fee Code	1202	50	2202	9	1202	1201	200	2201	44	1201	1203	300	2203	150	1203	1204	88	2204	44	1204	1205	18	2205	9	1205				SUBMITTED BY		Complete (if applicable)			Name (Print/Type)	James L. Clingan, Jr.	Registration No.	30,163	Telephone	(512) 996-6839	Signature	<i>James L. Clingan, Jr.</i>	Date	3/30/06		
Large Entity		Small Entity		Fee Description																																																																																																																																																																																																																																																																
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																																																																																																	
1051	130	2051	66	Surcharge - late filing fee or oath																																																																																																																																																																																																																																																																
1052	50	2052	25	Surcharge - late Provisional filing																																																																																																																																																																																																																																																																
1053	130	1053	130	Non-English specification																																																																																																																																																																																																																																																																
1812	2520	1812	2520	For filing a request for ex parte Reexamination																																																																																																																																																																																																																																																																
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																																																
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																																
1251	120	2251	55	Extension for reply within first month																																																																																																																																																																																																																																																																
1252	450	2252	215	Extension for reply within second month																																																																																																																																																																																																																																																																
1253	1020	2253	490	Extension for reply within third month																																																																																																																																																																																																																																																																
1254	1590	2254	765	Extension for reply within fourth month																																																																																																																																																																																																																																																																
1255	2160	2255	1040	Extension for reply within fifth month																																																																																																																																																																																																																																																																
1401	500	2401	170	Notice of Appeal																																																																																																																																																																																																																																																																
1402	500	2402	170	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																
1403	1000	2403	150	Request for oral hearing																																																																																																																																																																																																																																																																
1451	1510	1451	1510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																
1452	500	2452	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																
1453	1500	2453	685	Petition to revive - unintentional																																																																																																																																																																																																																																																																
1501	1400	2501	685	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																
1502	490	2502	245	Design issue fee																																																																																																																																																																																																																																																																
1503	660	2503	330	Plant issue fee																																																																																																																																																																																																																																																																
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																
1807	50	1807	50	Processing fee under 37 CFR 1.17(d)																																																																																																																																																																																																																																																																
1806	180	1806	180	Submission of IDS																																																																																																																																																																																																																																																																
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																																																																																
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																																																																																
Large Fee	790	2801	395	Request for Continued Examination																																																																																																																																																																																																																																																																
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																																																																																
Other fee (specify) _____																																																																																																																																																																																																																																																																				
1. BASIC FILING FEE		SUBTOTAL (1) (\$)																																																																																																																																																																																																																																																																		
<table border="1" style="width:100%"><thead><tr><th>Large Fee Code</th><th>Fee (\$)</th><th>Small Fee Code</th><th>Fee (\$)</th><th>Entity Fee (\$)</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>790</td><td>2001</td><td>395</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>300</td><td>2002</td><td>175</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>550</td><td>2003</td><td>275</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>790</td><td>2004</td><td>395</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr></tbody></table>		Large Fee Code	Fee (\$)	Small Fee Code	Fee (\$)	Entity Fee (\$)	Fee Paid	1001	790	2001	395	Utility filing fee		1002	300	2002	175	Design filing fee		1003	550	2003	275	Plant filing fee		1004	790	2004	395	Reissue filing fee		1005	160	2005	80	Provisional filing fee																																																																																																																																																																																																																																
Large Fee Code	Fee (\$)	Small Fee Code	Fee (\$)	Entity Fee (\$)	Fee Paid																																																																																																																																																																																																																																																															
1001	790	2001	395	Utility filing fee																																																																																																																																																																																																																																																																
1002	300	2002	175	Design filing fee																																																																																																																																																																																																																																																																
1003	550	2003	275	Plant filing fee																																																																																																																																																																																																																																																																
1004	790	2004	395	Reissue filing fee																																																																																																																																																																																																																																																																
1005	160	2005	80	Provisional filing fee																																																																																																																																																																																																																																																																
2. EXTRA CLAIM FEES		SUBTOTAL (2) (\$)																																																																																																																																																																																																																																																																		
Total Claims <input type="text"/> - <input type="text"/> = <input type="text"/> x <input type="text"/> = <input type="text"/> Independent Claims <input type="text"/> - <input type="text"/> = <input type="text"/> x <input type="text"/> = <input type="text"/> Multiple Dependent <input type="text"/> = <input type="text"/> <table border="1" style="width:100%"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Entity Fee Code</th></tr></thead><tbody><tr><td>1202</td><td>50</td><td>2202</td><td>9</td><td>1202</td></tr><tr><td>1201</td><td>200</td><td>2201</td><td>44</td><td>1201</td></tr><tr><td>1203</td><td>300</td><td>2203</td><td>150</td><td>1203</td></tr><tr><td>1204</td><td>88</td><td>2204</td><td>44</td><td>1204</td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>1205</td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Entity Fee Code	1202	50	2202	9	1202	1201	200	2201	44	1201	1203	300	2203	150	1203	1204	88	2204	44	1204	1205	18	2205	9	1205																																																																																																																																																																																																																																					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Entity Fee Code																																																																																																																																																																																																																																																																
1202	50	2202	9	1202																																																																																																																																																																																																																																																																
1201	200	2201	44	1201																																																																																																																																																																																																																																																																
1203	300	2203	150	1203																																																																																																																																																																																																																																																																
1204	88	2204	44	1204																																																																																																																																																																																																																																																																
1205	18	2205	9	1205																																																																																																																																																																																																																																																																
SUBMITTED BY		Complete (if applicable)																																																																																																																																																																																																																																																																		
Name (Print/Type)	James L. Clingan, Jr.	Registration No.	30,163	Telephone	(512) 996-6839																																																																																																																																																																																																																																																															
Signature	<i>James L. Clingan, Jr.</i>	Date	3/30/06																																																																																																																																																																																																																																																																	

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER

005/019

MAR 30 2006

PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
SC91189A

First named inventor: Chengke Sheng

Application No.: 09/438,288

Art Unit: 2631

Filed: November 12, 1999

Examiner: Pankaj Kumar

Title: CHIP RATE BASE BAND RECEIVER PROCESSOR WHICH RECEIVES DIGITAL INFORMATION CONTAINING SYMBOL
INFORMATIONAttention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of Petition to Revive for Patent Abandoned Unintentionally (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

04/03/2006 ZJHAR1 00000002 09438288

1500.00 DA
01 FC:1453

PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

James L. Clingan, Jr.
Signature

March 30, 2006

Date

James L. Clingan, Jr.

Typed or printed name

30,163

Registration Number, if applicable

7700 W. Parmer Lane MD:TX32/PL02

Address

(512) 996-8839

Telephone Number

Austin, Texas 78729

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

March 30, 2006

Date

Signature

Stacie Herrera

Typed or printed name of person signing certificate



REJECTION -
AMENDMENT DUE 11-2-04

UNITED STATES PATENT AND TRADEMARK OFFICE

LHC
8/5

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/438,288	11/12/1999	CHENGKE SHENG	SC91189A	9/14
23125	7590	08/02/2004	EXAMINER	
FREESCALE SEMICONDUCTOR, INC. LAW DEPARTMENT 7700 WEST FARMER LANE MD:TX32/PL02 AUSTIN, TX 78729			KUMAR, PANKAJ	
			ART UNIT	PAPER NUMBER
			2631	

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Received

AUG 05 2004

Law Department

MAR 30 2006

008/019

Office Action Summary	Application No.	Applicant(s)	
	09/438,288	SHENG, CHENGKE	
	Examiner	Art Unit	
	Pankaj Kumar	2631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7, 9, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 is/are allowed.
- 6) ☒ Claim(s) 7, 9, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Application/Control Number: 09/438,288

Page 2

Art Unit: 2631

DETAILED ACTION***Response to Arguments***

1. Applicant's arguments with respect to claims 7, 9, 18, 19 have been considered but are moot in view of the new ground(s) of rejection.
2. It is noted that claim 9 current recites that the only amendment made to it was the dependency from claim 8 to claim 7; however, this is not accurate since almost all of claim 9 seems to have been amended.

Response to Amendment***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 9, 18, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lefever USPN 4,599,732.
5. As per claim 7, (preamble is not afforded patentable weight) Lefever teaches storing a first scan window of the digital information (Lefever figs. 3, 4, 5: R1i is stored in ROM.); scanning the first scan window (Lefever fig. 4: R1i) for all instances of a first symbol of the symbol information (Lefever fig. 4: R1i is correlated in the frames and this involves scanning; fig. 3: 64: "ROM known symbol sequence memory"; paragraph 21: "ROM 64 contains, in 172 successive memory locations, digital values corresponding to the successive ones and zeroes of a

Application/Control Number: 09/438,288

Page 3

Art Unit: 2631

PN sequence to be correlated with the received symbol samples through the action of accumulators 71 and 72."); storing a second scan window of the digital information (Lefever figs. 3, 4, 5: R2i is stored in ROM.); and scanning the second scan window (Lefever fig. 4: R2i) for all instances of a second symbol of the symbol information (Lefever fig. 4: R2i is correlated in the frames and this involves scanning; fig. 3: 64: "ROM known symbol sequence memory"; paragraph 21: "ROM 64 contains, in 172 successive memory locations, digital values corresponding to the successive ones and zeroes of a PN sequence to be correlated with the received symbol samples through the action of accumulators 71 and 72.") What Lefever does not teach is symbol information. It would have been obvious to one skilled in the art at the time of the invention to modify Lefever to teach symbol information since Lefever teaches symbols and since the symbols are a sequence of 1s and 0s, they have information.

6. As per claim 9, Lefever teaches the method of claim 7 wherein scanning the first scan window (Lefever fig. 4: R1i) is achieved by a first PN code (Lefever col. 8 line 26: "PN sequence R1") and scanning the second scan window (Lefever fig. 4: R2i) is achieved with a second PN code (Lefever paragraph 21: "ROM 64 contains, in 172 successive memory locations, digital values corresponding to the successive ones and zeroes of a PN sequence to be correlated with the received symbol samples through the action of accumulators 71 and 72.").

7. As per claim 18, Lefever teaches the method of claim 7, wherein the second symbol immediately follows the first symbol in the symbol information (Lefever fig. 4: R2i follows R1i).

8. As per claim 19, Lefever teaches the method of claim 7, wherein the second scan window overlaps the first scan window (Lefever fig. 4: R1i and R2i overlap in scanning over the same frame).

Application/Control Number: 09/438,288

Page 4

Art Unit: 2631

Allowable Subject Matter

9. Claims 1, 2, 3 are allowed based on prior action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pankaj Kumar whose telephone number is (703) 305-0194. The examiner can normally be reached on Mon, Tues, Wed and Thurs after 8AM to after 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad H. Ghayour can be reached on (703) 306-3034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PK

TEMESGHEN GHEBREYESAE
PRIMARY EXAMINER

6/10/04

Notice of References Cited

Application/Control No.

09/438,288

Applicant(s)/Patent Under
Reexamination
SHENG, CHENGKE

Examiner

Pankaj Kumar

Art Unit

2631

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,599,732	07-1986	LeFever, Ronald S.	375/346
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 11

BEST AVAILABLE COPY

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 5129966853

Fax Information

Date Received:

Total Pages:

10/28/2004 9:27:01 AM [Eastern Daylight Time]
2 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

10/28/2004 THU 07:10 FAX 5129966853 MOTOROLA CORP LAW DEPT 01001/002

DOCKET NO. 6001180A

freescaler
semiconductor
FAX TRANSMITTAL SHEET

Freescaler Semiconductor, Inc.
Law Department
7700 W. Parmer Lane
MD: TX32/PL02
Austin, TX 78729
Telephone: (512) 996-6839
Facsimile: (512) 996-6834
5 (Number of Pages (including this page))

Date: October 27, 2004
To: Pankaj Kumar - 2631
Location: United States Patent and Trademark Office
Fax No.: (705) 872-9306
From: James L. Cline, Jr. - 30.163
Subject: 09/438,288- Chengke Sheng

NOTICE: This facsimile transmission may contain information that is confidential, privileged, or exempt from disclosure under applicable law. It is intended only for the person to whom it is addressed. If you have received this transmission in error, please immediately notify me by telephone (or return) to arrange for return of the documents required and any steps needed. Thank you.

MESSAGE:
Enclosed herewith, please find a **FORMAL AMENDMENT** for filing in the below-identified application.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED	
DATE	10/28/04
BY	K. J. DICK, ATTORNEY

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE
PATENT AND TRADEMARK OFFICE

ON: 10/28/04 Date Signature: *Elaine Cap*

PLEASE GIVE THESE PAPERS TO:

EXAMINER: Pankaj Kumar
GROUP ART UNIT: 2631
SERIAL NO: 09/438,288
FILED: NOVEMBER 12, 1999
INVENTOR: CHENGKE SHENG

PAGE 12 * RCVD AT 10/28/2004 9:27:01 AM [Eastern Daylight Time] * INR:USPTO-EFXXF-01 * CDS:272004 * CSD:5129966853 * DURATION (mm:ss):01:01

BEST AVAILABLE COPY

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1911
CONNECTION TEL 917038729306
SUB-ADDRESS
CONNECTION ID
ST. TIME 10/28 07:18
USAGE T 00'55
PGS. 2
RESULT OK

DOCKET NO. SC91189A



Freescale Semiconductor, Inc.
Law Department
7700 W. Parmer Lane
MD: TX32/PL02
Austin, TX 78729
Telephone: (512) 996-6839
Facsimile: (512) 996-6854

5 Number of Pages (including this page)

Date: October 27, 2004
To: Pankaj Kumar - 2631
Location: United States Patent and Trademark Office
Fax No.: (703) 872-9306
From: James L. Clingan, Jr. - 30,163
Subject: 09/438,288- Chengke Sheng

NOTICE: This facsimile transmission may contain information that is confidential, privileged, or exempt from disclosure under applicable law. It is intended only for the person to whom it is addressed. Unauthorized use, disclosure, copying or distribution may expose you to legal liability. If you have received this transmission in error, please immediately notify us by telephone (collect) to arrange for return of the documents received and any copies made. Thank you.

MESSAGE:

Enclosed herewith, please find a FORMAL AMENDMENT for filing in the below-identified application.

ALL ITEMS MARKED WITH AN "X" ARE INCLUDED:

1.	x	1 page Facsimile Cover Sheet
2.	x	4 page Amendment

BEST AVAILABLE COPY

DOCKET NO. SC91189A



FAX TRANSMITTAL SHEET

Freescale Semiconductor, Inc.
Law Department
7700 W. Parmer Lane
MD: TX32/PL02
Austin, TX 78729
Telephone: (512) 996-6839
Facsimile: (512) 996-6854

5 Number of Pages (including this page)

Date: October 27, 2004
To: Pankaj Kumar - 2631
Location: United States Patent and Trademark Office
Fax No.: (703) 872-9306
From: James L. Clingan, Jr. - 30,163
Subject: 09/438,288- Chengke Sheng

NOTICE: This facsimile transmission may contain information that is confidential, privileged, or exempt from disclosure under applicable law. It is intended only for the person to whom it is addressed. Unauthorized use, disclosure, copying or distribution may expose you to legal liability. If you have received this transmission in error, please immediately notify us by telephone (collect) to arrange for return of the documents received and any copies made. Thank you.

MESSAGE:

Enclosed herewith, please find a FORMAL AMENDMENT for filing in the below-identified application.

ALL ITEMS MARKED WITH AN "X" ARE INCLUDED:

1.	x	1 page Facsimile Cover Sheet
2.	x	4 page Amendment

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE
PATENT AND TRADEMARK OFFICE:

ON: 10/28/04
Date

Elaine Cox
Signature

PLEASE GIVE THESE PAPERS TO:

EXAMINER: Pankaj Kumar
GROUP ART UNIT: 2631
SERIAL NO.: 09/438,288
FILED: NOVEMBER 12, 1999
INVENTOR: CHENGKE SHENG